



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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## **FCC PROPOSES ADDITIONAL FLEXIBILITY IN THE 900 MHz SPECTRUM BAND**

WASHINGTON, D.C. – Today, the Federal Communications Commission (FCC or Commission) proposed to eliminate unnecessary regulatory restrictions in the 900 MHz spectrum band. The Commission’s proposal would allow more flexible use of “white space” in the 900 MHz band and allow users in the band to respond to evolving market demands.

Specifically, the FCC proposed amendments to Part 90 of its rules to facilitate more flexible use of the 199 channels allocated to the Business and Industrial Land Transportation (B/ILT) Pools in the 896-901/935-940 MHz (900 MHz) bands. The Commission’s proposal addresses a number of licensing, operational and technical issues, such as the appropriate band plan, the rights and obligations of incumbent site-based licensees, and competitive bidding procedures for new licenses in the 900 MHz band. The Commission proposed that the available spectrum in the 900 MHz band be licensed using a geographic licensing scheme. The Commission proposed to license the channels in 19 blocks of 10 contiguous channels each, and one block of 9 contiguous channels. The Commission stated that this band plan would provide the flexibility necessary to construct systems responsive to changing market demands.

Consistent with the recommendations of the FCC’s Spectrum Policy Task Force, the Commission’s proposal would give new license holders in the 900 MHz band the flexibility to provide any fixed or mobile service pursuant to the allocation for this spectrum, which includes commercial mobile radio services (CMRS). The Commission stated that the proposal builds upon the flexibility afforded Private Land Mobile Radio Service license holders in the 900 MHz band when the Commission consolidated the Business and Industrial/Land Transportation (B/ILT) license categories, which allowed more 900 MHz licenses to be used for commercial services.

The Commission recognized that any new 900 MHz licensees should provide at least the same interference protection to incumbent 900 MHz B/ILT licensees as is provided to incumbents by 900 MHz Specialized Mobile Radio licensees. Given that some licensees may be faced with the same interference problems that necessitated the remedies adopted in the 800 MHz interference proceeding, the Commission asked for comment on whether additional interference protection requirements are necessary and, if so, what those protections should be.

The Commission concluded that, because of the fundamental changes it proposed for the 900 MHz band, the current freeze on the processing of new 900 MHz license applications should be maintained. The Commission decided, however, that it would consider requests for waiver of the application freeze on a case-by-case basis and that incumbents should continue to be permitted to file modification applications.

Action by the Commission on February 10, 2005, by Notice of Proposed Rulemaking (FCC 05-31). Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein.

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